

**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT, ED.N.Y.  
★ JUN 20 2005 ★

KTC:MJF  
F.# 2004R001464

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

BROOKLYN OFFICE

- - - - -X

UNITED STATES OF AMERICA

APPLICATION AND  
ORDER OF DISMISSAL

-against-

04-CR-998 (DLI)

TROY RODRIGUEZ,

Defendant.

- - - - -X

EASTERN DISTRICT OF NEW YORK, SS:

Upon application of Assistant United States Attorney  
Morris J. Fodeman, it is hereby ORDERED that the government's  
motion to proceed pursuant to FRCP 7(b) in this matter dated  
November 12, 2004 be dismissed without prejudice.

Date: Brooklyn, New York  
June 20, 2005

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DORA L. IRIZARRY  
United States District Judge  
Eastern District of New York